

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim are rejected under 35 U.S.C. 102(b) as being anticipated by Deguchi (US 6,169,612).

Regarding claims 1 and 4, Deguchi discloses a method for scanning an image in an image forming apparatus having an image input sensor for sensing an input image and a cover, the method comprising (col. 5, liners 12-51):

determining whether a brightness of light sensed by the image input sensor is within a predetermined brightness range and outputting a result thereof; and determining whether to enable scanning the image in the image forming apparatus based upon the result (col. 2, line 49 to col. 3, line 39).

Regarding claims 2 and 5, Deguchi discloses the method of claim 1, wherein the determining whether the brightness of light sensed by the image input sensor is within the predetermined brightness range, further comprises: designating a plurality of positions based upon a plurality of sensors at predetermined intervals; sensing the brightness of light at each position; and determining whether a number of the plurality of positions wherein the brightness of light is within a predetermined brightness range is greater than a predetermined number of positions (col. 6 lines 3-8 and col. 6 line 55 to col. 7 line 67).

Regarding claim 6, Deguchi discloses the apparatus of claim 4, further comprising a scanning requirement sensing unit which senses whether image scanning is required by a user, and outputs a result to the image scanning unit (col. 5 lines 11-51).

Regarding claim 7, Deguchi discloses the method of claim 1, wherein when the cover is closed, the image input sensor senses a "white" brightness through a light reflected from a white sheet provided on a bottom surface of the cover (col. 4 lines 7-17).

Regarding claim 8, Deguchi discloses the method of claim 1, wherein when the cover is open, a light is not reflected from a white sheet provided on a bottom surface of the cover, and the image input sensor senses a gray, black or other nonwhite color light (col. 9 line 66 to col. 10 line 38).

Regarding claims 9 and 11, Deguchi discloses the apparatus of claim 4, wherein the brightness check controlling unit receives the brightness of light sensed in the image input sensor through an input terminal; determines whether the brightness of light received is within the predetermined brightness range; and outputs the result to the image scanning unit (col. 6 line 55 to col. 7 line 67).

***Allowable Subject Matter***

3. Claims 3 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Fri. from 6:00am to 2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Houshang Safaipoor/  
Primary Examiner, Art Unit 2625  
April 15, 2008